PTO/SB/25 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING Docket Number (Optional) REJECTION OVER A PENDING "REFERENCE" APPLICATION 2437.0020000 In re Application of: MARKHOVSKY et al. Application No.: 10/786,144 February 24, 2004 Filed: System And Method For Locating A Target Using Rfid (As Amended) For: The owner*, Invisitrack, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending **reference** Application Number 10/806,242 filed the expiration date of the full statutory term of any patent granted on pending **reference** Application Number $\frac{10/806,242}{10/806,242}$, filed on $\frac{103-24-2004}{1000}$, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said **reference** application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 2. X The undersigned is an attorney or agent of resert. Reg. No. 44,020 4/24/08 Signature George S. Bardmesser Typed or printed name (202) 293 1191 Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

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	REFERENCE APPLICATION	2437.0020000
In re Application of:	MARKHOVSKY et al.	
Application No.:	10/786,144	
Filed:	February 24, 2004	
For:	System And Method For Locating A Target Using Rfid (As An	nended)
on	Invisitrack, Inc. , of 100 percent interest in the instate elow, the terminal part of the statutory term of any patent granted on the instant application in the full statutory term of any patent granted on pending reference Application Number of as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent by any terminal disclaimer filed prior to the grant of any patent on the pending any patent so granted on the instant application shall be enforceable only for and during sence application are commonly owned. This agreement runs with any patent granted thee, its successors or assigns.	ation which would extend beyond 11/375,161 , filed atent granted on said reference application. The owner such period that it and any patent on the instant application and is
application, "as the te grant of any patent on expires for failure to p in whole or terminally	disclaimer, the owner does not disclaim the terminal part of any patent granted on the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application may be shortened by any term of any patent granted on said reference application may be shortened by any term of the pending reference application," in the event that: any such patent: granted on the pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurdisclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its part of the foundation of the file of t	tent granted on said reference ninal disclaimer filed prior to the ending reference application: isdiction, is statutorily disclaimed
Check either box 1 or	2 below, if appropriate.	
1. X For submission etc.), the und	ons on behalf of a business/organization (e.g., corporation, partnership, university, gover ersigned is empowered to act on behalf of the business/organization.	nment agency,
made are punishable statements may jeopa	lare that all statements made herein of my own knowledge are true and that all states be true; and further that these statements were made with the knowledge that willful the by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States redize the validity of the application or any patent issued thereon.	ments made on information and alse statements and the like so Code and that such willful false
2. X The undersign	ned is an attorney or agent of record, Reg. No. 44,020	
	Signature	4/24/08
	George S. Bardmesser	Date
•	Typed or printed name	
•		(202) 293 1191
Townian I die aleie		Telephone Number
i eminai disclaime	er fee under 37 CFR 1.20(d) is included.	
\ \tag{1} \tag{2}	/ARNING: Information on this form may become public. Credit card information sh be included on this form. Provide credit card information and authorization on PT	ould not D-2038.
Statement under 37 CF	FR 3.73(b) is required if terminal disclaimer is signed by the assistant (annual)	

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